



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

June 2, 2000

The Honorable Tom Bliley  
Chairman  
Committee on Commerce  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your correspondence of May 23, 2000, and your continuing interest in the successful administration of the National Practitioners Data Bank (NPDB). Your most recent letter asked for an explanation of how your earlier, April 3, 2000, letter on NPDB, which we responded to on May 31, was addressed. Please find the Department's responses to your specific questions below:

1. Please explain the Department of Health and Human Service's standard procedures for responding to Congressional information requests, and specifically those Congressional requests that contain requests for records.

As in this case, our customary process is for the Department to review the request and make a decision based on the substance of the request to assign the development of a response to a lead agency. The lead agency selected depends on the subject matter involved of the request; this lead agency handles the coordination as required. An appropriate time frame is assigned for the development of a suggested response. This time frame is contingent on the complexity of the request. Simultaneously, we share the request with other components in the Department, who contribute to the request.

When a suggested response has been prepared, the Office of the Secretary conducts a review of the materials to ensure that the request is responsive, accurate and complete. Based on what the review reveals, additional work may or may not be required.

As is customary, the suggested response to your letter was submitted to the Office of the Secretary for review. During the review process, we located archived records that might be applicable to your request. These records were retrieved and reviewed for pertinent information. During this retrieval process, Department staff was in ongoing conversations with your staff regarding our progress in identifying the requested records.

2. Please describe how you have handled the development of a response to my April 3, 2000 correspondence. Specifically, please describe who managed the response, which offices were requested to search for responsive records, the dates these offices were requested to search for responsive records, and who determined which records, if any, were responsive to the April 3, 2000 request. Finally, please provide the date that the Office of General Counsel was first notified of the April 3, 2000 request. Please provide all records relating to such notification.

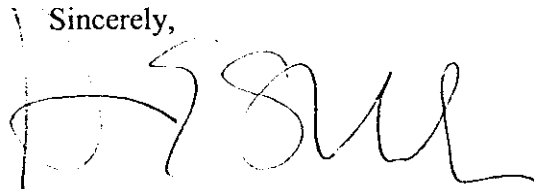
The Health Resources and Services Administration was designated the lead agency for development of a suggested response. As often occurs with congressional inquiries, the staff from the Office of the Assistant Secretary for Legislation (ASL) were involved as well and spoke to Commerce Committee staff on numerous occasions about the Department's progress in finalizing a response. When staff learned that documents possibly responsive to the Committee's letter of request were at the federal records center, located in Suitland, Maryland, ASL staff expedited the retrieval of these documents by picking them up directly from the federal records warehouse, rather than waiting for them to be delivered through normal and more time-consuming channels.

All of these archived documents subsequently were reviewed by appropriate HHS personnel familiar with the retrieved records. The Department's letter of response dated May 31, 2000, includes the documents from those archived records that were deemed to be responsive to the Committee's request. All Departmental agencies which might have possessed responsive records or other pertinent information were contacted during the course of responding to your letter. The Office of General Counsel received the request through the normal clearance process described.

3. Please provide all records relating to the question of whether there should be public access to the National Practitioners Data Bank that were created, drafted, received, disseminated, or otherwise handled or used after October, 1, 1999.

Please find enclosed the Department's records responsive to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna E. Shalala", written over a faint, larger signature.

Donna E. Shalala